

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

November 10, 2008

**C058699 SUTTER MEMORIAL HOSPITAL v. (Not For Publication)
WORKERS' COMPENSATION APPEALS
BOARD and GREEN & AZEVEDO**

The order is affirmed. Green & Azevedo shall recover costs as the prevailing party in this proceeding.

CANTIL-SAKAUYE, J.

We Concur: Raye, Acting P.J.

Hull, J.

**C054697 CHY Company et al. v. UTILITY TREE (Not For Publication)
SERVICES, INC.;**

**PACIFIC GAS & ELECTRIC COMPANY v.
UTILITY TREE SERVICES, INC.**

The judgment is reversed with directions to enter an order denying Utility Tree's several motions. CHY Company, Inc., Elma Davis, and Pacific Gas & Electric Company shall recover costs of appeal. (Cal. Rules of Court, rule 8.278 (a) (1) .)

SIMS, Acting P. J.

We Concur: Raye, J.

Hull, J.

**C057886 THE PEOPLE v. MICHAEL STEPHEN PETERSON
BY THE COURT:**

Appellant's petition for rehearing is denied.

Morrison, Acting P.J.

November 11, 2008

There are no minutes for this date.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

November 12, 2008

- C050441 THE PEOPLE v. BOBBY CHIU et al. (Not For Publication)**
The judgment is reversed as to defendant Chiu and the matter remanded for retrial except on the firearm enhancement, which the trial court shall dismiss. Defendant Hoong's murder conviction is affirmed; the Hoong enhancements are vacated and remanded for the court to dismiss the firearm enhancement and to allow the People to reallege the gang enhancement. If they have not filed their notice of intent to retry it within 30 days after the issuance of our remittitur, the trial court shall dismiss that enhancement as well and forward an amended abstract of judgment to the Department of Rehabilitation and Corrections.
DAVIS, J.
I Concur: Hull, J.
I Concur in the result:
Blease, Acting P.J.
- C053341 THE PEOPLE v. (Not For Publication)**
HERSHEL WAYNE CASTO
The judgment is affirmed.
DAVIS, J.
We Concur: Sims, Acting P.J.
Raye, J.
- C055343 THE PEOPLE v. JOHN JOE BORBA (Not For Publication)**
The judgment is affirmed. The trial court is ordered to correct the abstract of judgment to reflect the correct imposition of fees and fines to the correct cases and forward a certified copy of the corrected abstract to the Department of Corrections and Rehabilitation.
HULL, J.
We Concur: Sims, Acting P.J.
Davis, J.
- C055656 PRATT v. UNION PACIFIC RAILROAD (Certified For Publication)**
COMPANY
The order for injunctive relief is deemed a protective order and is affirmed as such. The order for sanctions is also affirmed. Costs are awarded to plaintiff.
BLEASE, Acting P.J.
We Concur: Robie, J.
Butz, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

November 13, 2008

C058781 THE PEOPLE v. (Not For Publication)
KENNETH WAYNE WILLIAMS

The judgment is affirmed.

SCOTLAND, P.J.

We Concur: Blease, J.

Davis, J.

C055710 CULINARY FARMS, INC. v. (Not For Publication)
STEVE MOONEY et al.

The judgment is remanded to the trial court for a recalculation of Culinary's damages at \$2.60 per pound. In all other respects, the judgment is affirmed. The parties shall bear their own costs on appeal.

RAYE, J.

We Concur: Blease, Acting P.J.

Butz, J.

C054933 LYNCH v. HERTZIG et al.

BY THE COURT:

Appellant's petition for rehearing is denied.

SIMS, Acting P.J.

November 14, 2008

C055870 THE PEOPLE v. (Not For Publication)
LELAND LAMONT PHILLIPS

The judgment is affirmed.

HULL, J.

We Concur: Raye, Acting P.J.

Butz, J.

C057651 THE PEOPLE v. (Not For Publication)
RONALD MERLE FEAR II

The judgment is affirmed.

ROBIE, J.

We Concur: Nicholson, Acting P.J.

Morrison, J.

C055686 ZINNEL v. HERMAN (Not For Publication)

The judgment is affirmed. Herman shall recover his costs on appeal. ...

BUTZ, J.

We Concur: Morrison, Acting P.J.

Hull, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

November 14, 2008, Continued

- C056398 CHRISTIE v. PICCOLOTTI (Not For Publication)**
Piccolotti's purported appeal from the judgment entered against him is dismissed. Christie is entitled to recover her costs on appeal. ...
BLEASE, J.
We Concur: Scotland, P.J.
Butz, J.
- C057439 In re JAYSON C. et al.; SACRAMENTO (Not For Publication)**
COUNTY DEPARTMENT OF HEALTH
AND HUMAN SERVICES v. SHELLY H.
The judgment is modified by striking the juvenile court's denial of reunification services pursuant to section 361.5. As modified, the judgment is affirmed.
SCOTLAND, P.J.
We Concur: Blease, J.
Butz, J.